IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

MONDAY, THE 26TH FEBRUARY 2007 / 7TH PHALGUNA 1928

WP(C).No. 21296 of 2006(I)

PETITIONER:

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1. MUSLIM RELIEF COMMITTEE,
   PERINGADI, THORUGH ITS PRESIDENT KOMATH ALI,
   CHOKLI, PERINGADI, THALASSERY,
   KANNUR.

2. MUSLIM RELIEF COMMITTEE,
   PERINGADI, THROUGH ITS SECRETARY K.K.BASHEER,
   PERINGADI, CHOKLI, THALASSERY, KANNUR.

BY ADV. SRI.M.P.VIJAYAN

RESPONDENTS:

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1. THE TAHSILDAR,
   THALASSERY TALUK,
   KANNUR DISTRICT.

2. THE VILLAGE OFFICER,
   CHOKLI VILLAGE,
   THALASSERY TALUK, KANNUR DISTRICT.

3. THE REVENUE DIVISIONAL OFFICER,
   THALASSERY, KANNUR.

4. THE DISTRICT COLLECTOR,
   COLLECTORATE, KANNUR.

BY GOVERNMENT PLEADER, SRI BENJIMIN PAUL

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C).No. 21296 of 2006(I)

A P P E N D I X

PETITIONER'S EXTS:

EXT.P1	TRUE COPY OF THE PERMISSION DATED 01/11/1988 GRANTED TO THE SOCIETY BY THE NEW MAHE PANCHAYAT
EXT.P1(a)	TRUE COPY OF THE SITE PLAN APPROVED BY THE NEW MAHE PANCHAYAT DATED 01/01/1988
EXT.P1(b)	TRUE COPY OF THE BUILDING ELEVATION APPROVED BY THE NEW MAHE PANCHAYAT DATED 01/01/1988
EXT.P2	TRUE COPY OF THE PLAINT IN O.S. NO.288/90 BEFORE THE MUNSIFF COURT, THALASSERY
EXT.P3	TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE 3RD, 4TH AND 5TH DEFENDANT JOINTLY IN O.S.NO.288/90
EXT.P4	TRUE COPY OF THE WRITTEN STATEMENT FILED BY THE SIXTH DEFENDANT IN O.S.NO.288/90
EXT.P5	TRUE COPY OF THE BUILDING COMPLETION CERTIFICATE DATED 14/05/2002
EXT.P6	TRUE COPY OF THE ORDER DATED 24/01/2001 ISSUED BY THE FIRST RESPONDENT TAHSILDAR
EXT.P7	TRUE COPY OF THE APPEAL MEMORANDUM FILED BEFORE R.D.O, THIRD RESPONDENTS
EXT.P8	TRUE COPY OF THE ORDER DATED 23/07/2003 ISSUED BY THE 3RD RESPONDENTS
EXT.P9	REVISION PETITION FILED BEFORE 4TH RESPONDENTS
EXT.P10	TRUE COPY OF THE ORDER DATED 10.07./2006 OF THE 4TH RESPONDENT DISMISSING REVISION PETITION .

\\TRUE COPY//

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.21296 OF 2006

Dated this the 26th day of February, 2007

JUDGMENT

The order impugned in this writ petition is a revisional order passed by the District Collector under the Kerala Land Conservancy Act. The petitioner has efficacious alternate remedy against that order in the form of a revision before the Land Revenue Commissioner or the Government as the case may be.

2. In such circumstances, this writ petition is dismissed without prejudice to the right of the petitioner to seek remedy against Exhibit P10 before the competent revisional authority.

3. However, to enable the petitioners to seek interlocutory relief in such revision, following the order of 10/08/2006, it is directed that the impugned order shall not be enforced for a period of two months from now.

THOTTATHIL B.RADHAKRISHNAN
Judge

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